

REMARKS

In the Office Action, the Examiner rejected claims 1-10, 14-35, 37-43, and 45-59 under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 7,065,199 to Hyllander et al. (Hyllander) in view of U.S. Patent No. 7,184,415 to Chaney et al. (Chaney); rejected claims 11-12 under 35 U.S.C. § 103(a) as unpatentable over Hyllander, Chaney, and U.S. Patent No. 6,731,609 to Hirni et al. (Hirni); and rejected claim 59 under 35 U.S.C. § 103(a) as unpatentable over Hyllander, Chaney, and U.S. Patent No. 6,775,269 to Kaczmarczyk et al. 6,731,609 (Kaczmarczyk).

Applicants amended independent claim 1 to clarify that the temporary routing number is also sent to at least one other participant at one or more other user terminals connected to the application server via the circuit switched network or via one or more other circuit switched networks. Support for the clarification is provided throughout the present application, including, for example, at FIG. 4, and at page 7, paragraph 93 of the published application (US 2005/0058125). Applicants similarly amended independent claims 35, 43, 54, 55, 56, 57, and 58. Additionally, Applicants amended independent claim 55 to correct a minor typographical error.

Amended independent claim 1 recites "receiving at the user terminal via the data path a temporary routing number as a conference routing number for the requested conference call service, the temporary routing number received in response to the conference request, the temporary routing number being sent to at least one other participant at one or more other user terminals connected to the application server via the circuit switched network or via one or more other circuit switched networks." Thus,

the same temporary routing number is provided to a first user terminal (e.g., the user terminal initiating the conference call) and at least one other user terminal that is also connected to the packet-switched conference call service via a circuit-switched network (which may be the same or different than the circuit-switched network of the first user terminal) such that both user terminals use the same temporary routing number to connect to the application server providing the packet-switched conference call:

[0093] Then, in step 9, the conference server 20 sends a request to join to the conference to other indicated participants, e.g. the other terminal MS-B 17 of the CS network via the data channel. This join request contains the routing number, information about other participants currently in the session, and details of the conference, such as who is the initiator, when was the conference initiated, subject of the session, is the session moderated, etc. By this join request, each of the other participants is aware that the call is not a regular telephony call, but a conference session, and thus the join request fulfills the initially mentioned requirement that each participant should know that he or she has been added to the conference. Furthermore, the join request contains information about other participants in the session to thereby also fulfill the initially mentioned requirement that each participant should know who else is participating in the same conference.

(US 2005/0058125, page 7, paragraph 93)

Hyllander describes "a method for enabling a GSM subscriber to make an Internet telephone call to an Internet user using SMS to transfer address information for the Internet user" (Hyllander, col. 1, lines 15-18). Particularly, Hyllander describes that a GSM subscriber (the caller) sends to a telephony/Internet server an SMS message that includes an internet address of the internet-based party that is being called. In response, the server sends a reply SMS message to the caller providing the caller with an indication that a connection to the internet-based called party is possible and

information which identifies a telephone number of the server which the caller can call to be connected to the called party. The caller can then call the number provided by the server, and the server then connects the caller to the called party:

Thus, when a GSM subscriber wishes to make an Internet telephone call, using the mobile station 8, to an Internet-connected user, i.e. the user of the Internet user terminal 6, SMS is used to transfer the Internet address information, for the Internet user, to the Internet server 11 via the SMS Service Centre 10. With such an interconnection arrangement, several different scenarios are possible.

A first one of these scenarios, which provides the simplest solution, uses the GSM short message service (SMS) to transfer: the Internet address information from the GSM mobile station 8 to the Telephony/Internet IWU (InterWorking Unit) server 11; and from the server 11 to the GSM mobile station 8, information for effecting the establishment of a telephony/Internet telephony connection between the GSM mobile station 8 and an Internet user, i.e. information which identifies the servers telephone number and which informs the GSM subscriber that a connection to the Internet user is possible.

On receipt of this information, the GSM mobile station 8 can then connect a telephone call to the server 11, which associates the telephone call with the previously sent Internet address for the Internet user. In operation, the following are sent to the interworking server 11 via SMS: the Internet address to the destination computer, i.e. the Internet user terminal 6 of the called party; and the specific identity, for example, the specific telephone number for the GSM subscriber--an A-number analysis can be used to obtain the specific identity, which is why it need not be stated in plain language in the SMS message.

The server 11 responds with an SMS--this SMS includes information that a connection to the Internet user (Internet address) is possible, together with the telephone number for the interworking server 11.

The GSM subscriber can then call the server's telephone number and, on receipt of this call, the server 11 can, via an A-number analysis (see above), associate the telephone call to the Internet address previously sent in the first SMS. In practice, the Internet

address is associated with the GSM A-telephone number for a specific period of time which is monitored by a timer which forms part of the communication system. The server 11 thereafter connects the telephone call either directly to the Internet user, or indirectly via at least one additional Internet server, a server at the end of this chain being adapted to provide Internet telephony services.

(Hyllander, col. 7, line 41, to col. 8, line 20)

Thus, while Hyllander describes that a server provides a server number to the caller, Hyllander, however, does not describe that that number is provided to the called party, or to any other party. Indeed, it would completely unnecessary to provide the called party, or any other party, with the server's number, because it is the caller that is initiating a phone call to the called party. Hyllander certainly does not describe providing the number to another participant connected to the server via a circuit-switched network; Hyllander called-party is, in fact, an internet-based party. Accordingly, Hyllander fails to disclose or suggest at least the features of "receiving at the user terminal via the data path a temporary routing number as a conference routing number for the requested conference call service, the temporary routing number received in response to the conference request, the temporary routing number being sent to at least one other participant at one or more other user terminals connected to the application server via the circuit switched network or via one or more other circuit switched networks," as recited by independent claim 1.

Chaney describes "a system and method of providing access to services in a telecommunications network utilizing the Session Initiation Protocol (SIP)" (Chaney, col. 1, lines 9-11). Although Chaney discloses a conference service, Chaney does not describe, for example, that the conference service provides a temporary number to any

of the participants which can be used to call the conference service. Accordingly, Chaney too fails to disclose or suggest at least the features of "receiving at the user terminal via the data path a temporary routing number as a conference routing number for the requested conference call service, the temporary routing number received in response to the conference request, the temporary routing number being sent to at least one other participant at one or more user terminals connected to the application server via the circuit switched network or via one or more other circuit switched networks," as recited by independent claim 1.

Because neither Hylander nor Chaney, discloses or suggests, alone or in combination, at least the features of "receiving at the user terminal via the data path a temporary routing number as a conference routing number for the requested conference call service, the temporary routing number received in response to the conference request, the temporary routing number being sent to at least one other participant at one or more other user terminals connected to the application server via the circuit switched network or via one or more other circuit switched networks," Applicants' independent claim 1, and the claims depending from it, are patentable over the cited art.

Furthermore, as noted in Applicants' previous Reply to the Final Action of March 10, 2009, one of ordinary skill in the art would have no reason to make the Hylander and Chaney combination proposed by the Examiner. Applicants submit that Chaney **teaches away** because Chaney's conference service relies solely on packet-switched approaches and the PIM server and thus would not be operative with circuit-switched

users.¹ Therefore, one of ordinary skill in the art would have no reason to make the Hyllander-Chaney combination proposed by the Examiner. For this reason too, therefore, claim 1, and the claims depending from it, are patentable over the cited art.

Independent claims 35, 43, and 54-58, although of different scope, include features which are similar to some of those noted above with respect to claim 1. For at least the reasons given above, Applicants' independent claims 35, 43, and 54-58, and the respective claims depending from them, are patentable over the cited art.

¹ MPEP §2141.02 further notes that "a prior art reference must be considered in its entirety, i.e., as a whole, including portions that would lead away from the claimed invention. *W.L. Gore & Associates, Inc. v. Garlock, Inc.*, 721 F.2d 1540, 220 USPQ 303 (Fed. Cir. 1983), *cert. denied*, 469 U.S. 851 (1984).


CONCLUSION

On the basis of the foregoing amendments, the pending claims are in condition for allowance. It is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific rejection, issue or comment, does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above are not intended to be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper. Applicants ask that all claims be allowed.

No fees are believed to be due, however the Commissioner is authorized to charge any additional fees or credit overpayments to Deposit Account No. 50-0311, reference No. 37343-512001US. If there are any questions regarding this reply, the Examiner is encouraged to contact the undersigned at the telephone number provided below.

Respectfully submitted,

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